

REMARKS/ARGUMENTS

Applicant thanks the examiner for the careful examination given to the present application. The application has been reviewed in light of the Office action, and it is respectfully submitted that the application is patentable over the art of record. Reconsideration of the application is respectfully requested.

Claims 1 and 3-8 have been amended to more particularly point out and claim the subject matter which Applicant regards as the invention.

A substitute specification has been requested by the examiner. Applicant's attorney has reviewed the specification carefully and found only a few informalities. The disclosure has been amended to correct the informalities on pages 3 and 4. If the requirement for a substitute specification is maintained, the Applicant respectfully requests further clarification on sentences of the disclosure that are objected to by the examiner.

Claims 4-8 stand rejected under 35 U.S.C. 112, second paragraph. Claims 4-8 have been amended to correct the informalities and antecedent basis has been provided.

Claims 1-8 stand rejected under 35 U.S.C. 102(e) as being anticipated by Martino (U.S. Patent No. 6,044,382) or Segal et al. (U.S. Patent No. 6,167,251). For the following reasons, the examiner's rejection is respectfully traversed.

Martino does not disclose or teach "control means for starting a call during an internet connection, wherein said control means controls said call means depending on signals from said call connection request acceptance means indicating call termination or call origination" as recited in claim 1.

Martino discloses a data transaction assembly server (TAS) that is implemented in a transaction entry device such as a portable telephone (col. 3, lines 15-23). In Martino, the TAS generates a template, and then develops a data transaction as the user inputs data in response to prompts from the template (col. 3, lines 24-40). The Martino data transactions can be broadcast via the internet or telephone system using cellular, wired, or wireless modem to a database server for processing and storage. The Martino TAS

may also "tune" into the internet, by receiving data transactions addressed to it, to download from web sites and to collect and distribute e-mail.

However, the Martino transaction entry device may only selectively operate as a conventional telephone or as a data transaction entry device (col. 8, lines 29-33). Nothing in Martino teaches that it can simultaneously operate as both a conventional telephone or as a data transaction entry device. Thus, the Martino transaction entry device does not disclose or teach control means for starting a call during an internet connection. Therefore, Martino does not disclose or teach all the elements of the claimed invention.

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In regards to claim 2, Martino does not disclose or teach "converting received internet information to a facsimile signal which is then output to an external component" as recited in claim 2. Martino discloses that the transaction entry device may be used to initiate a facsimile transmission (col. 30, lines 52-53). However, Martino does not disclose or teach that received internet information is converted to a facsimile signal and then outputted to an external component. Thus, Martino does not disclose or teach all the elements of the claimed invention.

Furthermore, Martino does not disclose or teach elements claimed in claims 3-8. The Office action also does not indicate which components, if any, in Martino would disclose such elements. In regards to claim 3, Martino does not disclose or teach automatically sending information corresponding to an incoming call to a prespecified mail address when the incoming call is not answered as recited in claim 3. Martino discloses sending email, but Martino does not disclose automatically sending incoming call information to a prespecified mail address when an incoming call is not answered. In regards to claims 4 and 8, Martino does not disclose notifying a mail address of a caller, as recited in claim 4, or a facsimile number of a caller, as recited in claim 8, of other contact information when a call from the caller to the portable telephone set is not answered. In regards to claim 5, Martino does not disclose means for converting text information to voice data which is then outputted as audio as recited in claim 5. In regards to claims 6 and 7, Martino does not disclose sending image and audio information acquired around the portable telephone set to the internet as recited in claims 6 and 7. Thus, Martino does not

disclose or teach all the elements of the claimed invention.

What does this mean?

Segal does not disclose or teach "control means for starting a call during an internet connection, wherein said control means controls said call means depending on signals from said call connection request acceptance means indicating call termination or call origination" as recited in claim 1.)

Segal discloses a keyless portable cellular phone 34 having an airtime cartridge 52 with a modem 292, through which a user may establish an internet connection 32 (col. 34, lines 54-66; Fig. 32). In Segal, the preferred airtime cartridge has a modem attachment 294, such as a serial port connector, which can be connected to a computer 296 having an internet browser application. However, the Segal cellular phone does not disclose or teach control means for starting a call during an internet connection.

Therefore, Segal does not disclose or teach all the elements of the claimed invention.

Segal also does not disclose or teach elements claimed in claims 2-8, and the Office action does not indicate which components, if any, in Segal would disclose such elements. In regards to claim 2, Segal does not disclose or teach that received internet information is converted to a facsimile signal and then outputted to an external component as recited in claim 2. In regards to claim 3, Segal does not disclose or teach automatically sending information corresponding to an incoming call to a prespecified mail address when the incoming call is not answered as recited in claim 3. In regards to claims 4 and 8, Segal does not disclose notifying a mail address of a caller, as recited in claim 4, or a facsimile number of a caller, as recited in claim 8, of other contact information when a call from the caller to the portable telephone set is not answered. In regards to claim 5, Segal does not disclose means for converting text information to voice data which is then outputted as audio as recited in claim 5. In regards to claims 6 and 7, Segal does not disclose sending image and audio information acquired around the portable telephone set to the internet as recited in claims 6 and 7. Thus, Segal does not disclose or teach all the elements of the claimed invention.

In light of the foregoing, it is submitted that the application as amended is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the examiner is invited to initiate a telephone interview with the undersigned

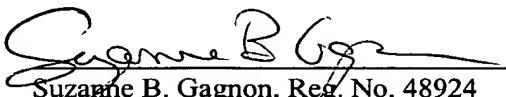
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Reply to Office action of February 2, 2004

attorney to expedite prosecution of the application.

If there are any additional fees resulting from this communication, please charge the same to our Deposit Account No. 16-0820, our Order No. 33596.

Respectfully submitted,

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